

**DEVELOPMENT REVIEW COMMITTEE - August 4, 2020**  
**CONDITIONS OF APPROVAL**

**201 Los Gatos Saratoga Rd**  
**Conditional Use Permit Application U-20-006**

**Requesting approval for a new restaurant with beer and wine service (Out of the Barrel Taproom) on property zoned C-2. APN 510-14-009.**

**PROPERTY OWNER: Robert Caya (Hwy 9 Partners, LLC)**

**APPLICANT: Evan Jaques**

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

*Planning Division*

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. LAPSE FOR DISCONTINUANCE: If the activity for which the Conditional Use Permit has been granted is discontinued for a period of one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.
4. RESTAURANT USE: A restaurant with beer and wine service is permitted, as well as retail sales of beer and wine for off-site consumption.
5. HOURS: Maximum hours of operation are 10:00 a.m. to 12:00 a.m. (Monday through Sunday).
6. GENERAL: Uniformed privately provided security guards may be required in or around the premises by the Chief of Police if alcohol related problems recur that are not resolved by the licensed owner.
7. CERTIFICATE OF USE AND OCCUPANCY: A Certificate of Use and Occupancy must be obtained prior to commencement of use.
8. BUSINESS LICENSE: A business license from the Town of Los Gatos Finance Department must be obtained prior to the commencement of any new or change of use.
9. LIVE ENTERTAINMENT: Live entertainment until 10:00 p.m. is permitted in conformance with the Town Policy regulating Late Night Entertainment.
10. GENERAL: Uniformed privately provided security guards may be required in or around the premises by the Chief of Police if alcohol related problems recur that are not resolved by the licensed owner.
11. DELIVERY VEHICLES: All delivery activities related to the restaurant use shall be directed to park within one of the designated parking spaces, and will occur between 11am – 6pm, Monday through Friday.
12. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a

condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.

13. COMPLIANCE MEMORANDUM: A memorandum, in compliance with standard Town practice, shall be prepared and submitted with the building permit detailing how the conditions of approval will be addressed.

#### *Building Division*

14. PERMITS REQUIRED: A Building Permit is required for the interior renovation of the existing commercial building.
15. APPLICABLE CODES: The current codes, as amended and adopted by the Town of Los Gatos as of January 1, 2020, are the 2019 California Building Standards Code, California Code of Regulations Title 24, Parts 1-12, including locally adopted Energy Reach Codes.
16. CONDITIONS OF APPROVAL: The Conditions of Approval must be blue-lined in full on the cover sheet of the construction plans. A Compliance Memorandum shall be prepared and submitted with the building permit application detailing how the Conditions of Approval will be addressed.
17. BUILDING & SUITE NUMBERS: Submit requests for new building addresses to the Building Division prior to submitting for the building permit application process.
18. SIZE OF PLANS: Submit four sets of construction plans, minimum size 24" x 36", maximum size 30" x 42".
19. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project Building Inspector at foundation inspection. This certificate shall certify compliance with the recommendations as specified in the Soils Report, and that the building pad elevations and on-site retaining wall locations and elevations have been prepared according to the approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:
  - a. Building pad elevation
  - b. Finish floor elevation
  - c. Foundation corner locations
  - d. Retaining wall(s) locations and elevations
20. TITLE 24 ENERGY COMPLIANCE: All required California Title 24 Energy Compliance Forms must be blue-lined (sticky-backed), i.e. directly printed, onto a plan sheet.
21. SITE ACCESSIBILITY: At least one accessible route within the boundary of the site shall be provided from public transportation stops, accessible parking and accessible passenger loading zones and public streets or sidewalks to the accessible building entrance that they serve. The accessible route shall, to the maximum extent feasible, coincide with the route for the general public. At least one accessible route shall connect all accessible buildings, facilities, elements and spaces that are on the same site.
22. ACCESSIBLE PARKING: The parking lots, as well as the parking structure, where parking is provided for the public as clients, guests or employees, shall provide handicap accessible parking. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In buildings with multiple accessible entrances with adjacent parking, accessible parking

- spaces shall be dispersed and located closest to the accessible entrances.
23. BACKWATER VALVE: The scope of this project may require the installation of a sanitary sewer backwater valve per Town Ordinance 6.50.025. Please provide information on the plans if a backwater valve is required and the location of the installation. The Town of Los Gatos Ordinance and West Valley Sanitation District (WVSD) requires backwater valves on drainage piping serving fixtures that have flood level rims less than 12 inches above the elevation of the next upstream manhole.
  24. HAZARDOUS FIRE ZONE: All projects in the Town of Los Gatos require Class A roof assemblies.
  25. SPECIAL INSPECTIONS: When a special inspection is required by CBC Section 1704, the Architect or Engineer of Record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the Building Permit. The Town Special Inspection form must be completely filled-out and signed by all requested parties prior to permit issuance. Special Inspection forms are available from the Building Division Service Counter or online at [www.losgatosca.gov/building](http://www.losgatosca.gov/building).
  26. BLUE PRINT FOR A CLEAN BAY SHEET: The Town standard Santa Clara Valley Nonpoint Source Pollution Control Program Sheet (page size same as submitted drawings) shall be part of the plan submittal as the second page. The specification sheet is available at the Building Division Service Counter for a fee of \$2 or at ARC Blue Print for a fee or online at [www.losgatosca.gov/building](http://www.losgatosca.gov/building).
  27. APPROVALS REQUIRED: The project requires the following departments and agencies approval before issuing a building permit:
    - a. Community Development – Planning Division: (408) 354-6874
    - b. Engineering/Parks & Public Works Department: (408) 399-5771
    - c. Santa Clara County Fire Department: (408) 378-4010
    - d. West Valley Sanitation District: (408) 378-2407
    - e. Santa Clara County Environmental Health Department: (408) 918-3479
    - f. Local School District: The Town will forward the paperwork to the appropriate school district(s) for processing. A copy of the paid receipt is required prior to permit issuance.